

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MICHAEL HILL
Petitioner,

v.

JOHN J. LaMANNA,
Respondent.

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Civil No. 03-160E

DECLARATION OF SHARON GERVASONI

I, SHARON GERVASONI, Assistant General Counsel for the United States Parole Commission, hereby declare the following:

1. That I am agency counsel responsible for assisting the U.S. Attorney's Office in responding to the Court's order of October 24, 2005;
2. That I have determined that in order to assist the Court in its analysis under the "sufficient flexibility" standard of United States ex rel. Forman v. McCall, 776 F.2d 1156 (3d Cir. 1985), *cert. denied*, Forman v. Baer, 476 U.S. 1119 (1986), the Commission will compile statistics regarding its departures from its guidelines in cases involving the 2001 amendments to 28 C.F.R. §2.80 to the extent such information may prove to be available;
3. That I informed the Commission's Research Administrator of the need for such statistical information, and he advised me that the Commission's computerized data arising from post-decision "coding" of cases would not permit the compilation of statistics with specific regard to departures from the 2001-amended guidelines, and such statistics would need to be compiled through manual examination of a sufficient number of cases;

Gervasoni declaration, p. 2.

4. That because of the nature of the research the Commission has undertaken, additional time to permit this research to be conducted is required.

I hereby declare under penalty of perjury the foregoing to be true and correct to the best of my knowledge.

Nov. 2, 2005
Date

Sharon Gervasoni
Sharon Gervasoni
Assistant General Counsel
5550 Friendship Blvd.
Chevy Chase, MD 20815